

**Planning and Zoning Division**  
18605 NW 27<sup>th</sup> Ave  
Miami Gardens, Florida 33056  
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www.miamigardens-fl.gov



**Office Use Only**

Date Received: \_\_\_\_\_

Process No. \_\_\_\_\_

## CERTIFICATE OF LEGAL CONFORMITY APPLICATION

**TYPE OF APPLICATION (check all that apply):**

☐ Landscape and Buffering

☐ All Others

**APPLICANT INFORMATION:**

APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone#: \_\_\_\_\_ E-mail: \_\_\_\_\_

**OWNER INFORMATION:**

OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:

Owner's Name (Provide name of ALL owners): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone#: \_\_\_\_\_ E-mail: \_\_\_\_\_

**DULY APPOINTED AGENT INFORMATION:**

CONTACT PERSON, MAILING ADDRESS, TELEPHONE NUMBER:

Contact Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone#: \_\_\_\_\_ E-mail: \_\_\_\_\_

**PROJECT INFORMATION:**

1. PROJECT NAME: \_\_\_\_\_

2. LIST FOLIO NUMBER OF ALL PARCELS: \_\_\_\_\_

**ADDRESS OR LOCATION OF PROPERTY:** \_\_\_\_\_

(for location, provide general location i.e. NE corner of, etc.)

### SUBMITTAL CHECKLIST

<u>Required</u>	<u>Provided</u>	<u>Description</u>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Application</b> – original application <u>completely</u> filled out and properly executed.
<input type="checkbox"/>	<input type="checkbox"/>	<b>Justification for Legal Certificate of Conformity</b> – 1 sets of plans denoted with letter/table providing comparison between required and provided noted by section of the LDR; with explanation per Sec. 34-59 (c) or (d) that support your certificate of legal conformity request for each section not in compliance; provide any supplemental and supportive documentation that supports your claim.
<input type="checkbox"/>	<input type="checkbox"/>	<b>PDF version</b> of plans and all submittal items.
<input type="checkbox"/>	<input type="checkbox"/>	<b>Applicant Affidavit</b> – fully executed. See enclosed.
<input type="checkbox"/>	<input type="checkbox"/>	<b>Fees:</b> See fee schedule below

### FEE SCHEDULE

#### **CERTIFICATE OF LEGAL CONFORMITY FEES**

Znon1	Certificate of conformity – single family, duplex, townhouse,	\$1,125.00	
Znon2	Certificate of conformity - (multi-family/non-residential/mixed use/all other)	\$3,168.00	
		<b>SUBTOTAL</b>	
		<b>MIAMI GARDENS SURCHARGE 15%</b>	
		<b>TOTAL FEES*</b>	

\* Please make all checks payable to "City of Miami Gardens", credit cards and debit cards also accepted

### APPLICANT AFFIDAVIT

#### **PROPERTY OWNER**

(I)(WE), being first duly sworn, depose and say that (I am) (we are) the ☐ owner, ☐ duly authorized to sign on behave of the property owner, of the property herein described and which is the subject matter of the proposed application. (I)(WE) certify that all the forgoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

And,

(I) (WE) hereby authorize \_\_\_\_\_, as the contractor ☐, applicant ☐ or contact person ☐ to submit and obtain the necessary permit(s).

Property Owner Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Personally known to me ☐ Produced Identification ☐ Type of Identification \_\_\_\_\_

Notary

(Stamp/Seal)

Commission Expires:

## **EXCERPTS FROM SECTION 34-59 OF CITY'S LAND DEVELOPMENT REGULATIONS**

### **Sec. 34-59- Alteration or enlargement of nonconforming structure.**

**(c)**

***Certificate of legal conformity.*** A property owner may file an application to the administrative official for a certificate of legal conformity determination. Such determination shall be made by the administrative official after consideration and review of plans that demonstrate that the development is or will be improved to the best extent physically possible to comply with all applicable regulations of this chapter. Best extent possible shall mean, but not be limited to, the extent to which compliance with a code requirement does not create, result, or increase another non-conformity. The administrative official may also grant a certificate of legal conformity upon a determination by said official that the financial costs of compliance will unreasonably exceed the public benefits of compliance. The City shall establish administrative guidelines for the review and issuance of a certificate of legal conformity for site improvements that become non-conforming as of the effective date of adoption of the land development regulations. Said guidelines may be revised, amended, and modified administratively from time to time.

**(d)**

***Certificate of Legal Conformity for Landscape and Buffer Requirements.*** A property owner may file an application to the administrative official for a certificate of legal conformity determination as to compliance with the provisions of Article XIV. Minimum Landscape and Buffering Requirements; Fences; Walls; Hedges. Such determination shall be made by the administrative official after consideration and review of plans that demonstrate that the development is or will be improved to the best extent physically possible to comply with all applicable regulations of this chapter. Best extent possible shall mean, but not be limited to, the extent to which compliance with a code requirement does not create, result, or increase another nonconformity. The administrative official may also grant a certificate of legal conformity upon a determination by said official that the financial costs of compliance will unreasonably exceed the public benefits of compliance. The City shall establish administrative guidelines for the review and issuance of a certificate of legal conformity for landscape and buffer requirements that become inconsistent as of the effective date of adoption of the land development regulations. Said administrative guidelines may be revised, amended, and modified from time to time, subject to approval by Resolution by the City Council.